

# Notice of Allowability

Application No.

09/886,456

Examiner

Kieu D. Vu

Applicant(s)

WASHINGTON ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 12/19/05 and the telephone interview on 01/18/06.
2. ☒ The allowed claim(s) is/are 1-13, 15-57, 61-63, and 65-70 (renumbered as 1-66).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Kieu D. Vu*

***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Representative Jeffrey Hood on 01/18/06.

3. The claims have been amended as follows:

Claim 1:

Line 23, delete "is operable to"

Claim 15:

Line 22, delete "is operable to"

Claim 17:

Line 23, delete "is operable to"

Claim 26:

Line 22, delete "is operable to"

Claim 45:

Lines 4-5, replace "one or more specified operations" with "desired functionality"

Claim 48:

Line 12, after "graphical program node", insert -- to perform the desired operation--

Claims 58 – 59. Cancelled

Claim 60: A computer-readable memory medium comprising program instructions for configuring a first graphical program node in a graphical program, wherein the program instructions are executable to implement:

displaying the first graphical program node in the graphical program in response to user input, wherein the graphical program comprises a first plurality of interconnected nodes that visually indicate functionality of the graphical program, and wherein the graphical program is executable to perform the functionality;

displaying a graphical user interface (GUI) after displaying the first graphical program node;

receiving user input to the GUI configuring the first graphical program node to perform a desired operation;

automatically generating graphical source code to perform the desired operation based on the user input configuring the first graphical program node, wherein the automatically generated graphical source code comprises a second plurality of interconnected nodes that visually indicate functionality of the graphical source code, wherein the graphical source code is automatically generated without user input directly specifying the nodes in the second plurality of interconnected nodes; and

displaying the automatically generated graphical source code.

Claim 64. Cancelled.

4. Claims 1 –13, 15-58, 61-63, and 65-70 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The Examiner has carefully considered the independent claims 1, 15, 17, 26, 48, and 60. The prior art of record does not teach "configuring the first node to perform the one or more specified operations in response to the user input to the GUI, wherein configuring the first node comprises automatically generating graphical source code for the first node to implement the one or more specified operations, wherein automatically generating the graphical source code for the first node comprises automatically generating a second plurality of interconnected nodes without receiving user input directly specifying the nodes in the second plurality of interconnected nodes, wherein the second plurality of interconnected nodes perform the one or more specified operations during execution of the graphical program" in specific combinations recited in claims 1, 15, 17, and 26, or "automatically generating graphical source code for the first graphical program node to perform the desired operation based on the user input configuring desired operation of the first graphical program node, wherein automatically generating the graphical source code for the first graphical program node comprises automatically generating a second plurality of interconnected nodes without receiving user input directly specifying the nodes in the second plurality of interconnected nodes; and displaying the automatically generated graphical source code, wherein displaying the automatically generated graphical source comprises displaying the second plurality of interconnected nodes" in a specific combination recited in claim 48, or "automatically generating graphical source code to perform the desired operation based on the user input configuring the first graphical program node, wherein the automatically generated

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graphical source code comprises a second plurality of interconnected nodes that visually indicate functionality of the graphical source code, wherein the graphical source code is automatically generated without user input directly specifying the nodes in the second plurality of interconnected nodes" in a specific combination recited in claim 60.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kieu Vu

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A handwritten signature in black ink, appearing to read "Kieu Vu", is written below the printed name.